

DOCKET NO. D-2008-004 CP-2

DELAWARE RIVER BASIN COMMISSION

**Warwick Township
St. Peters Village Wastewater Treatment Plant,
Pump Station, and Spray Irrigation
Warwick Township, Chester County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by Castle Valley Consultants, Inc. on behalf of Warwick Township on December 30, 2011 (Application), for review of an aerated lagoon wastewater treatment system, pump station, and spray irrigation approval. The project was approved by the Pennsylvania Department of Environmental Protection (PADEP) by issuance of Water Quality Management (Part II) Permit No. 1507410 on December 11, 2007.

The Application was reviewed for continuation of the project in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact*. The Chester County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on December 5, 2012.

A. DESCRIPTION

1. **Purpose.** The purpose of this project is to approve a 0.06305 million gallon per day (mgd) aerated lagoon wastewater treatment system, associated pump station, and 12.67 acre spray irrigation disposal facility.
2. **Location.** The project WWTP is located at the intersection of Ridge Road and St. Peters Road in the Township of Warwick, Chester County, Pennsylvania. The WWTP will continue to discharge treated effluent to a spray irrigation disposal facility near French Creek, a tributary to the Schuylkill River. The treatment and storage lagoons and spray irrigation disposal facility are located near River Mile 92.47 – 35.6 – 16.5 (Delaware River – Schuylkill River – French Creek).

The project outfall is located in the French Creek Watershed as follows:

OUTFALL NO.	LATITUDE (N)	LONGITUDE (W)
Spray irrigation wastewater treatment facility	40° 10' 34"	75° 43' 33"

3. Area Served. The existing WWTP will continue to receive wastewater flows from existing and proposed development within the St. Peters Village and Knauertown areas.

For the purpose of defining the Area Served, sections B (Type of Discharge) and D (Service Area) of the docket holder's Application are incorporated herein by reference, to the extent consistent with all other conditions contained in the DECISION Section of this docket.

4. Physical Features.

a. Design Criteria. The St. Peters Village WWTP is designed to treat an average flow of 0.063 mgd.

b. Facilities. Wastewater will pass through a raw sewage influent pump station with grinder pumps to shred and lift wastewater into the force main. Wastewater is directed to an aerated treatment lagoon. Wastewater will pass from the treatment lagoon through grinder pumps into a two cell aerated storage lagoon. From the storage lagoon, wastewater will pass through the spray irrigation pump station with chlorine contact pipes with sodium hypochlorite feed system to the spray irrigation fields.

The project facilities aren't located in the 100-year floodplain.

c. Water withdrawals. The potable water supply in the project service area is provided by an onsite well.

d. NPDES Permit / DRBC Docket. The Water Quality Management (Part II) Permit No. 1507410 approved by PADEP on December 11, 2007, includes final effluent limitations for the project discharge of 0.06305 mgd to the spray irrigation disposal facility. The following average monthly effluent limits are among those listed in the Water Quality Management permit and meet or are more stringent than the effluent requirements of the DRBC.

EFFLUENT TABLE A-1: DRBC Parameters Included in Water Quality Management permit for spray irrigation disposal facility

OUTFALL		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9 at all times	As required by WQM permit
Total Suspended Solids	30 mg/l (85% minimum removal*)	As required by WQM permit
CBOD (5-Day at 20° C)	25 mg/l (85% minimum removal*)	As required by WQM permit
Fecal Coliform	200 colonies /100 ml as a geo. avg.	As required by WQM permit

* DRBC Requirement

e. **Relationship to the Comprehensive Plan.** The DRBC included the St. Peters Village WWTP in the Comprehensive Plan on May 14, 2008 with Docket No. D-2008-004 CP-1.

B. FINDINGS

The limits in the Water Quality Management (Part II) Permit are in compliance with Commission effluent quality requirements, where applicable.

The project is designed to produce a discharge meeting the effluent requirements as set forth in the Water Quality Regulations of the DRBC.

Near the project site, the French Creek has an estimated seven-day low flow with a recurrence interval of ten years of 16.7 mgd (10.8 cfs). The ratio of this low flow to the average design wastewater discharge from the St. Peters Village WWTP is 265:1.

The nearest surface water intake of record for public water supply downstream of the project discharge is operated by Aqua Pennsylvania on the Schuylkill River, near Port Providence, PA, approximately 18 river miles downstream.

The project does not conflict with the Comprehensive Plan and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

C. DECISION

I. Effective on the approval date for Docket No. D-2008-004 CP-2 below:

a. The project described in Docket No. D-2008-004 CP-1 is removed from the Comprehensive Plan to the extent that it is not included in Docket No. D-2008-004 CP-2; and

b. Docket No. D-2008-004 CP-1 is terminated and replaced by Docket No. D-2008-004 CP-2; and

c. The project and the appurtenant facilities described in Section A "Physical Features" of this docket shall be added to the Comprehensive Plan.

II. The project and appurtenant facilities as described in Section A "Physical Features" of this docket are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the PADEP in its NPDES permit and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission's.

b. The facility and operational records shall be available at all times for inspection by the DRBC.

c. The facility shall be operated at all times to comply with the requirements of the Commission's *WQR*.

d. The docket holder shall comply with the requirements contained in the Effluent Table(s) in Section A.4.d. of this docket. The docket holder shall submit the required monitoring results directly to the DRBC Project Review Section. The monitoring results shall be submitted annually, absent any observed limit violations, by January 31. If a DRBC effluent limit is violated, the docket holder shall submit the result(s) to the DRBC within 30 days of the violation(s) and provide a written explanation that states the action(s) the docket holder has taken to correct the violation(s) and protect against any future violations.

e. Except as otherwise authorized by this docket, if the docket holder seeks relief from any limitation based upon a DRBC water quality standard or minimum treatment requirement, the docket holder shall apply for approval from the Executive Director or for a docket revision in accordance with Section 3.8 of the *Compact* and the *Rules of Practice and Procedure*.

f. If at any time the receiving treatment plant proves unable to produce an effluent that is consistent with the requirements of this docket approval, no further connections shall be permitted until the deficiency is remedied.

g. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

h. The docket holder is permitted to treat and discharge wastewaters as set forth in the Area Served section of this docket, which incorporates by reference sections B (Type of Discharge) and D (Service Area) of the docket holder's Application to the extent consistent with all other conditions of this DECISION section.

i. The docket holder shall make wastewater discharge in such a manner as to avoid injury or damage to fish or wildlife and shall avoid any injury to public or private property.

j. No sewer service connections shall be made to newly constructed premises with plumbing fixtures and fittings that do not comply with water conservation performance standards contained in Resolution No. 88-2 (Revision 2).

k. Nothing in this docket approval shall be construed as limiting the authority of DRBC to adopt and apply charges or other fees to this discharge or project.

l. The issuance of this docket approval shall not create any private or proprietary rights in the waters of the Basin, and the Commission reserves the right to amend, suspend or rescind the docket for cause, in order to ensure proper control, use and management of the water resources of the Basin.

m. Unless an extension is requested and approved by the Commission in advance, in accordance with paragraph 11 of the Commission's Project Review Fee schedule (Resolution No. 2009-2), the docket holder is responsible for timely submittal of a docket renewal application on the appropriate DRBC application form at least 12 months in advance of the docket expiration date set forth below. The docket holder will be subject to late charges in the event of untimely submittal of its renewal application, whether or not DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date below (or the later date established by an extension that has been timely requested and approved), the terms and conditions of the current docket will remain fully effective and enforceable against the docket holder pending the grant or denial of the application for docket approval.

n. The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.

o. Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the Rules of Practice and Procedure. In accordance with Section 15.1(p) of the Delaware River Basin Compact, cases and controversies arising under the Compact are reviewable in the United States district courts.

p. Nothing in this docket constitutes a defense to any penalty action for past conduct of the docket holder or ongoing activity not authorized by this approval. In particular, renewal of this docket does not resolve violations – whether in the past or continuing – of provisions of the Delaware River Basin Compact ("Compact") or any rule, regulation, order or approval duly issued by the Commission or the Executive Director pursuant to the Compact. The Commission reserves its right to take appropriate enforcement action against the docket holder, including but not limited to recovery of financial penalties consistent with Section 14.17 of the Compact, for any and all such prior or continuing violations.

q. The docket holder is prohibited from treating/pre-treating any hydraulic fracturing wastewater from sources in or out of the Basin at this time. Should the docket holder wish to treat/pre-treat hydraulic fracturing wastewater in the future, the docket holder will need to first apply to the Commission to renew this docket and be issued a revised docket allowing such treatment and an expanded service area. Failure to obtain this approval prior to treatment/pre-treatment will result in action by the Commission.

BY THE COMMISSION

DATE APPROVED: December 5, 2012

EXPIRATION DATE: December 5, 2017